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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,697	03/30/2004	Josh Aaron Goldfoot		3059

7590

11/01/2006

Josh Goldfoot  
629 N Nelson St  
Arlington, VA 22203

EXAMINER
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LE, BRIAN Q

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/811,697

Applicant(s)

GOLDFOOT, JOSH AARON

Examiner

Brian Q. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/30/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Information Disclosure Statement***

1. The information disclosure statement filed 3/30/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

***Specification***

2. Regarding CROSS-REFERENCE TO RELATED APPLICATIONS Section of the specification, the Applicant must identify the related application by the application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. See 37 CFR 1.78 and MPEP § 201.11.

***Claim Objections***

3. Claim 1 is objected to because the claim is difficult to understand due to the use of confusing language. Appropriate correction is required. The prior art rejection based on the Examiner's best understanding.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Takasaki et al. U.S. Patent No. 4,969,201.

Regarding claim 1, Takasaki teaches a method of recognizing shapes (recognizing arcuate or circular arc segment) (abstract, lines 1-3) from a scribble (drawing data) (column 1, lines 13-14), the method comprising the steps of:

a. Identifying one or more important points in a scribble (structured points) (column 2, lines 20-25);

b. determining whether said scribble resembles a closed figure (FIG. 3);

c. determining whether said scribble resembles a figured with more straight sides than curved sides (three consecutives polygon-line with distances d1 and d2 between a virtual circle/curved side resembles a figured with more straight sides than curved sides) (column 5, lines 65-68 to column 6, lines 1-5);

d. recognizing said scribble as a line segment if said scribble has exactly two important points (segment end points S1 and S2) (column 4, lines 35-40);

e. recognizing said scribble as a straight curve if said scribble has more than two important points (polygon-line structuring points P1, P2, and P3) (column 4, lines 50-55) and said scribble has more straight sides than curved sides (three consecutives polygon-line with distances d1 and d2 between a virtual circle/curved side resembles a figured with more straight sides than curved sides) (column 5, lines 65-68 to column 6, lines 1-5) and said scribble is not a close figure (distance between two end points is not closed figure) (FIG. 2A, element 104);

f. recognizing said scribble as a spline (FIG. 5) if said scribble has more than two important points (polygon-line structuring points P1, P2, and P3) (column 4, lines 50-55) and

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said scribble does not have more straight sides than curved sides (FIG. 5) and said scribble is not a closed figure (arc distance between two points is not a closed figured) (FIG. 5);

g. Recognizing said scribble as a closed plane figure (FIG. 5) if said scribble has more than two important points (polygon-line structuring points P1, P2, and P3) (column 4, lines 50-55) and said scribble has more straight sides than curved sides (three consecutives polygon-line with distances d1 and d2 between a virtual circle/curved side resembles a figured with more straight sides than curved sides) (column 5, lines 65-68 to column 6, lines 1-5) and said scribble is a closed figured (the distance that connects 3 vertex, 3 point is closed figured);

h. recognizing said scribble as a closed spline (FIG. 5) if said scribble has more than two important points (polygon-line structuring points P1, P2, and P3) (column 4, lines 50-55) and said scribble does not have more straight sides than curved sides (FIG. 5) and said scribble is a closed figure (the distance that connects 3 vertex, 3 point is closed figured).

***CONCLUSION***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Q. Le whose telephone number is 571-272-7424. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brian Le  
October 27, 2006